

## **MODIFIED COMPLIANCE PLAN**

### **Bad River Wastewater Treatment Facility**

#### **Information:**

Facility Name: Bad River (New Odanah) WWTF

Location: Bad River Indian Reservation

Owner/Operator: Bad River Band of the Lake Superior Tribe of Chippewa Indians

Facility Contact: Pat Hunt, Operations Manager

Permit #: WI-0036587

#### **Introduction:**

The objective of the modified Compliance Plan (CP) is to return the Bad River wastewater treatment facility to compliance with its current and future National Pollutant Discharge Elimination System (NPDES) permits and to assure that the conditions of the NPDES permits are met.

This modified CP describes violations at the facility and the actions required to return to compliance. These actions are outlined in the “Actions to be Taken” section. Continuing to operate in non-compliance may result in the filing of a formal enforcement action, including the issuance of an Administrative Order, with appropriate additional enforcement consequences if violations continue.

#### **Violations:**

Violations include failure to meet permit reporting requirements at the Bad River WWTF and failure to comply with the permit effluent limits for the following parameters:

- Phosphorus, total
- E. coli
- Solids, total suspended
- BOD, 5-day, 20 deg. C
- BOD, 5-day, 20 deg. C percent
- Solids, total suspended percent removal

**Actions to be Taken:**

The following actions outline the steps necessary to bring the Bad River WWTF (WI-0036587) into compliance:

<b>Date</b>	<b>Milestone</b>	<b>Documentation or Report Required</b>
<b>May 30, 2014</b>	WWTF staff to complete remaining Certified Operator training and testing including ponds and lagoons, phosphorus removal and laboratory.	Include training and certification updates in CP Progress Reports due March 31, 2014, and May 30, 2014.
<b>June 30, 2014</b>	Tribe to complete equipment installation, mechanical repairs, and program upgrades required to return the Bad River WWTF to compliance with NPDES permit effluent limits.	Include project updates in CP Progress Reports due March 31, 2014, and May 30, 2014.
<b>June 30, 2014</b>	Tribe to be in compliance with NPDES permit effluent limits and reporting requirements for the Bad River WWTF.	Include compliance status in CP Progress Reports due March 31, 2014, and May 30, 2014.  Submit Final Compliance Status Report, due July 31, 2014.

**Compliance Plan Implementation:**

EPA intends to work with the Tribe to implement this modified Compliance Plan. EPA will review each Progress Report, and may schedule conference calls or visits to discuss ongoing progress. Continuing non-compliance may subject the Tribe to a formal enforcement action.

**Submittals:**

Documentation, updates, reports, and plans required under this CP shall be sent to EPA by both registered mail and electronic mail to the following addresses:

Chief, Water Enforcement and Compliance Assurance Branch  
Water Division  
U.S. Environmental Protection Agency, Region 5  
77 W. Jackson Blvd. (WC-15J)  
Chicago, IL 60604  
ATTN: Dean Maraldo  
Email: maraldo.dean@epa.gov

Office of the Regional Counsel  
U.S. Environmental Protection Agency, Region 5  
Mail Code C-14J  
77 W. Jackson Blvd.  
Chicago, IL 60604  
ATTN: Barbara L. Wester, Associate Regional Counsel  
Email: [wester.barbara@epa.gov](mailto:wester.barbara@epa.gov)